



IFW

Docket No: 740172-22

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Rodney KIELT et al.)
Application No. 10/501,519) Art Unit: 3728
Filed: December 28, 2004) Confirmation No. 8276
For: ORTHOTIC INSERT AND METHOD
OF MANUFACTURE THEREOF

INFORMATION DISCLOSURE STATEMENT

United States Patent and Trademark Office
Customer Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. §1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§1.97 and 1.98.

Pursuant to 37 C.F.R. §1.98, a copy of each of the documents cited is enclosed. However, copies of the listed U.S. patents and U.S. patent application publications are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. §371 after June 30, 2003.

The documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. 1.97(b), no fee or statement is required.

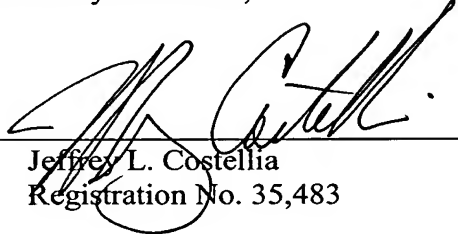
The documents cited herein were raised by a third party in an opposition against a corresponding New Zealand patent application.

It is requested that the accompanying PTO-1449 be considered and made of record in the above-identified application. To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

The Commissioner is hereby authorized to charge any fees in connection with this filing which may be required, or credit any overpayment to Deposit Account No. 19-2380.

Respectfully submitted,

By:


Jeffrey L. Costella
Registration No. 35,483

NIXON PEABODY LLP
401 9th Street, N.W.
Suite 900
Washington, D.C. 20004-2128

Phone: (202) 585-8000

Date: October 18, 2006



| | | | | | |
|--|---|----|---|--------------------------|---------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | <i>Complete if Known</i> | |
| | | | | Application Number | 10/501,519 |
| | | | | Filing Date | December 28, 2004 |
| | | | | First Named Inventor | Rodney KIELT et al. |
| | | | | Art Unit | 3726 |
| | | | | Examiner Name | Lazena Martin |
| Sheet | 1 | of | 1 | Attorney Docket Number | 740172-22 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials [*] | Cite No. ¹ | U.S. Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number - Kind Code ² (if known) | | | |
| | | US-4,642,911 | 02-17-1987 | Talarico, II | |
| | | US-5,733,647 | 03-31-1998 | Moore, III et al. | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|-----------------------------------|--------------------------|--|--------------------------------|--|---|----------------|
| Examiner Initials [*] | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | | GB 2 011 243 A | 07-11-1979 | | | FULL |
| | | WO 91/07152 | 05-30-1991 | | | FULL |
| | | WO 92/19191 | 11-12-1992 | | | FULL |
| | | NZ 196010 | 01-12-1982 | | | AB |
| | | | | | | |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | | | |
|---|--------------------------|---|----------------|
| Examiner Initials [*] | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | | | |
| | | | |
| | | | |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.